



Texas Chiropractic Board Report

June 2017
Issue Three

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Sunset Legislation: SB 304 Update



Recently passed Sunset Legislation, SB 304, extends the Texas Board of Chiropractor Examiners for 12 more years and amends certain laws in the Chiropractic Act. Please read the following 3 important messages regarding these changes, effective on or after Sept 1, 2017. A copy of SB 304 analysis can be found here: [SB 304 Bill Analysis](#).

FOR ALL DC'S, TWO-YEAR LICENSE RENEWAL:

Effective **September 1, 2017**, The TBCE has the option **to move to a biennial chiropractic license instead of an annual license**. A chiropractic license would extend for two years instead of one, with a biennial license fee of \$300.00. The date for license renewals would remain **the first day of the licensee's birth month**, every other year. Chiropractors are still required to complete 16 hours of continuing education credit annually, which is each year of the biennial renewal period. The Board's current yearly auditing procedures on continuing education will continue.

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Sunset Legislation: SB 304 Update

The agency will continue to provide notice of renewal and fee requirement electronically within 45 days of a licensee's renewal deadline. The agency will begin moving from annual to biennial license renewal this fall of 2017. Chiropractors should continue to renew their license on a yearly cycle until they are officially notified of the change.

FOR ALL DC'S THAT ARE REGISTERED FACILITY OWNERS:

Effective **September 1, 2017, owners of chiropractic facilities will no longer be required to register with the Board or pay a fee to operate a facility.** All facility owners will still be required to pay facility registration fees through August 31, 2017, including any facility that requires new registration. No proration, discount or refunds for a partial-year registration will be given. DC's will continue to renew their license on the first day of their birth month. **The agency will disable the ability to register facilities through the Texas.gov website on September 1, 2017.**

Rules not affected. The agency maintains authority to inspect chiropractic facilities. Chiropractors are still required to inform the Board where they practice, including any change of address or practice location, within 30 days. Non-chiropractors are still permitted to own and operate facilities. As a result, chiropractors should understand that the responsibility for compliance with all applicable statutes and rules will be incumbent upon them.

Chiropractors entering into agreements, employment or practice management support contracts with other chiropractors or facility owners are urged to seek legal counsel to ensure that the agreement clearly delineates the parties' respective duties and responsibilities.

FOR ALL NON-DC FACILITY OWNERS:

Effective **September 1, 2017, Non DC owners of chiropractic facilities will no longer be required to register with the Board or pay a fee to operate a facility.** All facility owners will be required to pay current facility registration fees up until August 31, 2017, including any new facility requiring registration. No proration, discount or refunds for a partial-year registration will be given. **The agency will disable the ability to register facilities through the Texas.gov website on September 1, 2017.**

Effects of legislation. The agency will maintain authority to inspect chiropractic facilities and chiropractors are still required to keep the Board informed of their current practice location. Non-chiropractors who own and operate facilities should be aware that the TBCE will have the authority to inspect the premises where chiropractors practice, including patient records. Facility owners should be familiar with the regulations required by the health and safety code with regard to patient records. See **§181.001 Medical Records.**



**Texas Board of
Chiropractic
Examiners**

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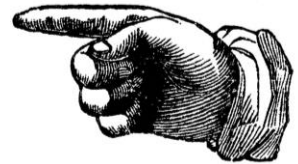
John Riggs III, D.C.

Midland

**Attention
New
Licensees**

Your first renewal cycle is pro-rated and may not be a full twelve months. Completion of your Continuing Education (CE) requirements is not required until after your first license renewal.

When you renew your license for the second time, you are required to have completed sixteen (16) hours of approved CE, including four (4) hours in Board-required topics and a one-time, eight (8) hours for Medicare.



Meet The Regulator



The TBCE staff will have a booth at the **TCC Annual Convention**, Booth 102. July 13th, The Woodlands, Texas, Waterway Marriot Hotel.

Other conferences:

The Parker Seminars: October 6-8th, Parker Univ. Campus, 2540 Walnut Hill Lane, Dallas, Texas

President's Message



practice of chiropractic without requiring facility registration. The first two of these projects are underway and appear to be going well. The elimination of facility registration will be effective September 1, 2017. While elimination of the registration fee is something to celebrate, there will likely be some confusion especially among DC providers who work in non-DC owned facilities. Rule §77.8 advises that each licensee practicing at a facility and each facility is equally responsible for maintaining records. Licensed DC's and non-DC facility owners alike must realize the importance of keeping patient records and making them available upon request.

Greetings colleagues:

It has been another busy quarter for the Board as we prepare to implement new policies, which will require your attention and cooperation. My message this Issue includes information and insights regarding the outcome of Sunset, our Outreach schedule, the Acupuncture Survey and Board member training.

Sunset

I am pleased to announce that our agency's Sunset review is over and that Governor Abbott has signed Senate Bill 304 into law. The bill extends the TBCE's expiration date and grants us 12 more years as the chiropractic profession's independent regulatory body. The new expiration date is September 1, 2029. We are now focused on fully implementing new provisions of the law including criminal background checks (fingerprinting) on all licensees, conversion to biennial licensing for DC's, continuing education requirements with random compliance audits and regulation of the

Outreach

We look forward to meeting you! We are scheduling several outreach events at chiropractic conventions across the state including TCA's Chiro Texpo, June 9th in Dallas, TCC's Annual Convention July 13th, in The Woodlands and the Parker Seminar October 6-8th, in Dallas. These events will give you an opportunity to visit at your convenience with TBCE board members and agency staff.

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President's Message cont.

Acupuncture Survey

Colleagues, thank you for your timely response to the recent Acupuncture Survey. The primary purpose of the survey is to determine the percentage of our profession that is providing acupuncture services and other statistics regarding qualifications, such as training and testing. The data can be used as a reference as we refine our agency guidelines specific to use of acupuncture in chiropractic practice. Our goal is to provide guidance for all DC's who provide, or want to provide acupuncture, in order that they meet the standards of care of our profession. We are seeking a response to the survey from all licensed DC's. If you do not currently utilize acupuncture in your practice, please simply indicate this on the survey form and return it to the agency.

FCLB

Just as Doctors of Chiropractic attend regular training to enhance their knowledge and improve delivery of services, TBCE Board members and agency staff also attend regular training to improve our respective regulatory skills. Our goal is to upgrade the quality of chiropractic regulation and public protection in Texas. TBCE's President and Vice President recently attended the annual meeting of the Federation of Chiropractic Licensing Boards (FCLB) to network and participate in problem-solving workshops. These workshops enable us to learn and share cost-saving ideas, prepare for new challenges facing the profession and to pool resources with other state licensing boards.

This year's FCLB presentations included critical issues such as:

- Regulatory Ethics
- NC Dental Board v. FTC
- Chiropractic Mobility
- Board Member Conflict
- Sunset Reviews
- Licensure Exams and Services of the National Board of Chiropractic Examiners
- Effective Use of Settlement Agreements
- Regulatory Leadership

Thank you!

We appreciate you for providing quality health care services for the people of Texas.

Mark R. Bronson, D.C., F.A.C.O.

Board President

Agency Licensing & Registration Summary through May 31, 2017



Number of Chiropractic Doctors	
Active License	5,471
CE-Conditional License	186
Expired License	203
Inactive License	675
Non-Renewable License*	2,682
Probated License	18
Suspended License	3

Number of Chiropractic Facilities	
Active Registration	4212
Expired Registration	401

* Includes license expiration after one year, closure at DC's request or closure for non-compliance with CE.

Number of Radiologic Technologists	
Active Registration	62
Expired Registration	36

Compliance & Investigations Information September 1, 2016 – April 30, 2017

Complaints Open	
Complaints Received YTD	164
Complaints Closed	160 *
Average Days to Close Complaints	193
Closed with Orders	35

Top 3 Closed Complaint Type	
Lack of Diligence	23
Fraud	17
Deceptive Advertising	13

Complaints-Opened for Expired License	
Complaints Opened YTD	224
Complaints Closed	215
Average Days to Close Complaints	41
Closed with Orders	24
Closed with Letter of Education	53

Publication Date: June 2017

The **Texas Chiropractic Board Report** is the official publication of the Texas Board of Chiropractic Examiners. Newsletters are published following Board meetings, which are typically held in February, May, August, and November.

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In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the Board's office, (512) 305-6906 (Voice) or by faxing a request to (512) 305-6705 (FAX).

Board Disciplinary Actions



Ndon Emah, Lic. No. 8810, Houston
Revocation for failure to comply with a Board Order.

Anna Allen, Lic. No. 2950, El Paso
Revocation for a felony criminal conviction.

Lance Terry, D.C., Lic. No. 6789, Lewisville
Cease and Desist Order for an expired License and Facility registration.

David Weeter, D.C., Lic. No. 8085, Haslet
Cease and Desist Order for an expired License.

Tracey Wiest, D.C., Lic. No. 5005, Richardson
Cease and Desist Order for an expired License.

James Parsons, II, D.C., Lic. No. 7178, Pearland
Cease and Desist Order for an expired License and Facility registration.

Matthew Bergeson, D.C., Lic. No. NA, Friendswood
Cease and Desist Order for a practicing without a License.

Jozef Verhaert, D.C., Lic. No. 5723, Waxahachie
Cease and Desist Order for an expired License and Facility registration.

Linh Huynhle, D.C., Lic. No. 10417, Houston
Cease and Desist Order for an expired License and Facility registration.

Abiodun Alashe, Fac. No. F006193, Houston
Pay \$1,250 for unsanitary equipment in a facility.

John Morrison, Jr., Lic. No. 6577, Brownsville
Pay \$2,000 and pass the Jurisprudence exam for Solicitation.

Olu Vincent, Fac. No. F007687, Houston
Probation for one year for not complying with a Board Order.

Uzunma Ogba, Fac. No. F005643, Houston
Probation for two year for not complying with a Board Order and responding to the Board inquiries.

Corey Rizzo, D.C., Lic. No. 8325, Port Arthur
Pay \$1,000 and pass the Jurisprudence exam for failure to furnish records. Cease and Desist Order for an expired License and Facility registration.

Debra Perry, D.C., Lic. No. 4602, Pasadena
Pay \$250 for failure to furnish records.

Santiago Guajardo, D.C., Lic. No. 8823, Houston
Pay \$1,500 and pass the Jurisprudence exam for unsanitary equipment and failure to display public information.

Keith Bergeson, D.C., Lic. No. 5413, Friendswood
Letter of reprimand and pass the Jurisprudence exam for allowing an unlicensed person to practice chiropractic.

Kelly Christensen, D.C., Lic. No. 9737, Sherman
Letter of reprimand and pass the Jurisprudence exam for not reporting a criminal conviction to the Board.

TBCE Welcomes New DC Licensees!

Licenses Issued February 2017 through May 2017

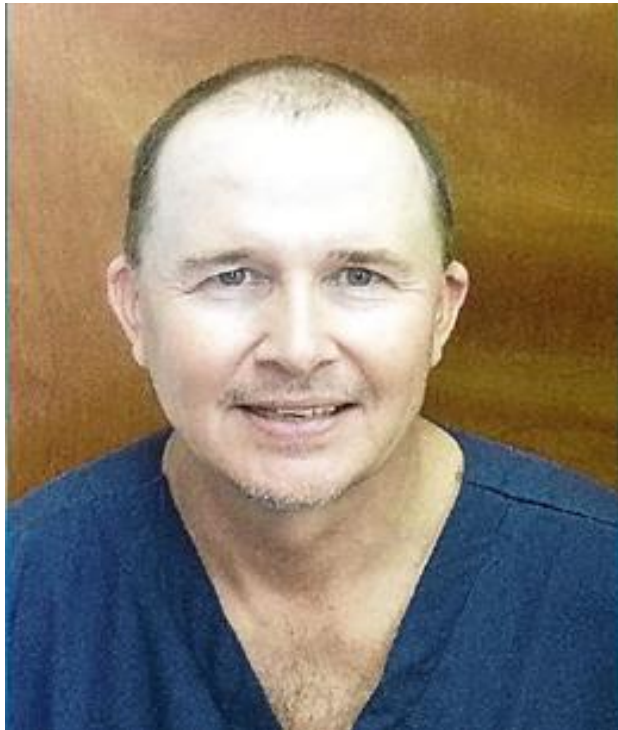
JaNair Osarollor, D.C.
Shawn Anunaso, D.C.
Konstantine Pappas, D.C.
Brittany Smith, D.C.
Preshita Pancholi, D.C.
Richard Abercrombie, D.C.
Sara Grunert, D.C.
Evan Secord, D.C.
Rachel Westbrook, D.C.
Kristina Ramirez-Irizarry, D.C.
Jennifer Touchy, D.C.
Caleigh Miller, D.C.
Kevin Fasolino, D.C.
Allen Yeh, D.C.
Miranda Garcia, D.C.
Austin Adams, D.C.
Kael Moulton, D.C.
Dawndi Tomlinson, D.C.
Katie Surls, D.C.
Jared Parker, D.C.
Joanny Sanchez, D.C.
Joshua Fields, D.C.
Tobe Thacker, D.C.
Aanchal Bhatia, D.C.
Michael Kozlowski, D.C.
Robert Small, D.C.
Angel Jackson, D.C.
Cassidy Spangler, D.C.
Nathan Funk, D.C.
Janice Brown, D.C.
Kenneth Watson, D.C.
Christopher Alamilla, D.C.
Giovonni Quiroz, D.C.
Christin Hubbard, D.C.
David MacIver, D.C.
Mona Abdalla, D.C.
Hector Reyes III, D.C.
Erica Hernandez, D.C.
Amy Tirpak, D.C.
Anthony Roldo's-Rodriguez, D.C.
Ashley Prince, D.C.

Uchenna Obiuku, D.C.
Lisa Stowell, D.C.
Hannah Howard, D.C.
Tae Kim, D.C.
Kelly Henry, D.C.
Vincent Methot, D.C.
Alexandria Covert, D.C.
Alicia Jackson, D.C.
Alfred Sundqvist, D.C.
Faiqha Ansari, D.C.
Kelsey Reid, D.C.
Jordan Rio, D.C.
Arnott Adler, D.C.
Liz Molina, D.C.
Janine Allen, D.C.
Bruce Duncan, D.C.
Jason Ozuna, D.C.
Elizabeth Keenan, D.C.
Emily LeGendre, D.C.
Kelvin Le, D.C.
Justin Collier, D.C.
David Ptacnik, D.C.
Arturo Medrano, D.C.
Barry Hail, D.C.
Lisa Barry, D.C.
Renee Johns, D.C.
Anatolia Vick, D.C.
Tiffany Coronado, D.C.
Cameron Kretsinger, D.C.
Morgan Toone, D.C.
Bob Kwon, D.C.
Brittany Latiolais, D.C.
Keeton Perry, D.C.
Amanda Jenkins, D.C.
Kelley Jones, D.C.
Marie Pappas, D.C.
Sarita Smalley, D.C.
Trevor Adams, D.C.
Robert Neuenschwander, D.C.

Reinstatements:

Jim Bob Haggerton, D.C.
April Hudson, D.C.
Walter Crooks, D.C.

Missing Chiropractor



We are saddened by the disappearance of Goliad chiropractor G. Layne Towery, D.C., who has been missing since April 18th of this year. Dr. Towery and Board President, Dr. Bronson were classmates at Texas Chiropractic College, Class of December, '84. Dr. Towery's unoccupied pickup was found parked along a fence at the end of a private road in rural southeast Victoria County about a week following his disappearance. A spokesperson from the Victoria County Sheriff's Office indicated that the investigation of Towery's disappearance has included a search for signs of criminal activity. A multi-faceted search for Dr. Towery continues at this time, although no additional evidence has been found. We extend condolences to the Towery family.

TBCE Holidays

The office of the Texas Board of Chiropractic Examiners will be closed on:

INDEPENDENCE DAY
MONDAY, JULY 3, 2017
TUESDAY, JULY 4, 2017

TBCE Contact Information

OFFICE HOURS: 8:00 a.m. until 5:00 p.m.
Monday through Friday, except for holidays.

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E-MAIL: tbce@tbce.state.tx.us

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Texas Chiropractic Board Report Memorials



Dr. Marvin Williams Polson, 89, a retired Chiropractor, passed away on February 20, 2017 in Decatur. Dr. Polson graduated from Palmer Chiropractic College on October 20, 1950 and was a Chiropractor for over 50 years. He was a member of the Masonic Lodge and Knights of Columbus. He also proudly served his country in the United States Army.

Memorials are published at no cost as a tribute to deceased Texas Doctors of Chiropractic. Information included is primarily related to the individual's accomplishments in the chiropractic profession. To submit a memorial, please email tbce@tbce.state.tx.us or call (512) 305-6906 for more information.